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DATE: September 17, 2004CLIENT NO.: Appl No. 09/938,644
Docket No. M4065.0466/P466MESSAGE TO: Examiner Anita K. AlankoCOMPANY: USPTOFAX NUMBER: 703-872-9306PHONE: 571-272-1458FROM: Ryan H. FlaxTIMEKEEPER NO.: 0161PHONE: 202-429-2164PAGES (Including Cover Sheet): 20 HARD COPY TO FOLLOW: YES X NO


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MESSAGE:

In response to the Office communication dated September 9, 2004, we have attached a copy of the amendment as it was filed on July 15, 2004, complete with underlining and strikethrough and/or bracketing, along with the stamp-dated postcard. The changes to the claims were minimal and perhaps easily overlooked by the Examiner, but were presented in the proper form.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Applicant respectfully requests a Notice of Allowance of all pending claims.


Ryan H. Flax
Reg. No.: 48,141

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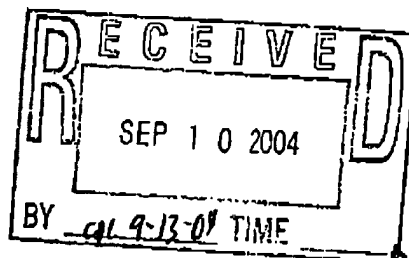
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(MR) Sept. 17, 2004

APPLICATION NO.	FILING DATE	FIRST NAME INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,644	08/27/2001	Neal Rueger	M4065.0466/P466	1172
24998	7590	09/09/2004		
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP 2101 L STREET NW WASHINGTON, DC 20037-1526				
			EXAMINER	
			ALANKO, ANITA KAREN	
			ART UNIT	PAPER NUMBER
			1765	

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



TJD/ RFlax

Rec'd 9/16/04

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/938,644

8/27/01

Rueger

M 4065.0466/9466

EXAMINER

Alanko

ART UNIT	PAPER
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1765

0904

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Commissioner for Patents

The timely submission under 37 CFR 1.129(a) filed on July 15, 2004 is not fully responsive to the prior Office action because it does not have proper underlining, strikethrough or bracketing of inserted and/or deleted words from the examiner's amendment mailed on 1/23/04. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

Anita K. Alanko

Anita K Alanko
Primary Examiner
Art Unit: 1765

Inventor: Neal Rueger

Atty Docket No.: M4065.0466/P466 ✓

Application No.: 09/938,644-Conf. #1172

Filing Date: August 27, 2001

Title: METHOD AND APPARATUS FOR MICROMACHINING USING A MAGNETIC
FIELD AND PLASMA ETCHING

Documents Filed:

Amendment (15 pgs)



Via:

Sender's Initials: TJD/RHF/cz

Date: July 15, 2004

RAM

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